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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/715,395 | 11/19/2003 | Naoko Ono | 245452US2RD | 5317 |
| 22850 | 7590 | 02/22/2006 | EXAMINER | |
| OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314 | | | BALAOING, ARIEL A | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2683 | |

DATE MAILED: 02/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/715,395

Applicant(s)

ONO ET AL.

Examiner

Ariel Balaoing

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 December 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 November 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments, see page 2 and 3 of the remarks, filed 12/06/2005, with respect to the rejection(s) of claim(s) 1, 9, and 11 under 102 (b) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of FOGEL (WO 01/50151 A1) in view of ERIKSSON et al (US 2002/0059453 A1) and KNUTSSON et al (US 2002/0006788 A1).

Claim Rejections - 35 USC § 103

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
3. Claims 1-3, 6, 7, 9, and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over FOGEL (WO 01/50151 A1) in view of ERIKSSON et al (US 2002/0059453 A1).

Regarding claim 1, FOGEL discloses an apparatus used in a mobile communication system with a plurality of wireless base stations (page 20, lines 1-13), comprising: an acquiring unit configured to acquire identification information of said wireless base stations (page 15, lines 6-24); a location detecting unit configured to detect a present location of the apparatus upon acquiring at least one of identification information of said wireless base stations (page 15, lines 14-24; page 15, line 23-page 16, line 11; location of apparatus is achieved through GSM signals correlated with acquired base station location, or alternatively, the location of the base station serves as

the location of the mobile device); an storing unit configured to store the acquired identification information being associated with the detected present location of said apparatus (page 15, lines 6-24; page 20, lines 1-13; memory of some form is inherently necessary to store acquired data, a lookup table is used to determine base station location); a location information providing unit configured to figure a location of said wireless base stations using the detected present location of said apparatus stored in said storing unit (page 14, line 3-page 15, line 13; lookup table corresponds to the current location of the wireless device, as seen on page 14, latitude and longitude of wireless base stations are acquired by the mobile device). Although FOGEL suggest the use of the invention to help in navigation (abstract), FOGEL does not expressly disclose wherein the location information providing unit provides the figured location of said wireless base stations to the user. ERIKSSON discloses a location information providing unit configured to figure a location of a plurality of wireless base stations [access points] using a detected present location of an apparatus stored in a storing unit and to provide the figured location of said wireless base stations (Figure 2; abstract; paragraph 28-34, coordinates and directions are provided to the user on access points determined by user profile and location of the user). Therefore it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify FOGEL to present figured locations of a plurality of wireless base stations, as taught by ERIKSSON, as both systems relate to positioning and navigation of a wireless device. This is beneficial in that a user can select desired service requirements for locating network access.

Regarding claim 2, see the rejections of the parent claim concerning the subject matter this claim is dependent upon. Although FOGEL discloses the use of positional information to provide navigational help to the user, FOGEL does not disclose wherein said location information providing unit having map information, configured to add information of said figured location of said wireless base stations to the map information. ERIKSSON discloses wherein said location information providing unit having map information, configured to add information of said figured location of said wireless base stations to the map information (240, abstract, paragraph 28-34; directions and capabilities of a desired access point are presented to the user).

Regarding claim 3, see the rejections of the parent claim concerning the subject matter this claim is dependent upon. However, FOGEL does disclose wherein said location information providing unit configured to display the map information indicating said figured location of said wireless base stations. ERIKSSON discloses wherein said location information providing unit configured to display the map information indicating said figured location of said wireless base stations (abstract, paragraph 28-34; mapping information is presented to the user on the communication device).

Regarding claim 6, see the rejections of the parent claim concerning the subject matter this claim is dependant upon. FOGEL further discloses further comprising a cellular telephone unit configured to perform cellular communication with a cellular base station being a part of a cellular network (abstract; page 4, lines 2-7). Also, ERICKSSON discloses further comprising a cellular telephone unit configured to perform cellular communication with a cellular base station (paragraph 12).

Regarding claim 7, see the rejections of the parent claim concerning the subject matter this claim is dependant upon. FOGEL further discloses wherein said acquiring unit configured to acquire identification information of said wireless base stations which is included in a signal transmitted from said wireless base stations (page 15, lines 14-24; page 15, line 23-page 16, line 11).

Regarding claim 9, FOGEL discloses a method for mapping location information of a wireless base station which provides contents data to a mobile communication terminal (page 20, lines 1-13), comprising: acquiring identification information of said wireless base stations (page 15, lines 6-13); detecting a location of said terminal (page 15, lines 14-24; page 15, line 23-page 16, line 11); storing the acquired identification information of said wireless base stations being associated with the detected location of said terminal (page 15, lines 14-24; page 15, line 23-page 16, line 11); figuring the location of said wireless base stations based on the detected terminal location associated with the acquired identification information of said wireless base stations (page 15, lines 14-24; page 15, line 23-page 16, line 11; page 20, lines 1-13). Although FOGEL discloses using acquired location information to provide navigational help to the user, FOGEL does not expressly disclose providing map information indication information of the figured location of said wireless base stations. ERICKSSON discloses figuring the location of said wireless base stations based on the detected terminal location associated with the acquired identification information of said wireless base stations (Figure 2; abstract; paragraph 28-34); and providing map information indication information of the figured location of said wireless base stations (Figure 2;

abstract; paragraph 28-34, coordinates and directions are provided to the user on access points determined by user profile and location of the user). Therefore it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify FOGEL to present figured locations of a plurality of wireless base stations, as taught by ERIKSSON, as both systems relate to positioning and navigation of a wireless device. This is beneficial in that a user can select desired service requirements for locating network access.

Regarding claim 11, see the rejections of the parent claim concerning the subject matter this claim is dependant upon. FOGEL further discloses a mobile terminal communicable with a plurality of wireless base stations (abstract, page 20, lines 1-13), comprising: a receiver which receives an identification data of at least one of base stations (page 15, lines 6-13); a location detector which detect a present location data of the terminal when the identification data is received (page 15, lines 14-24; page 15, line 23-page 16, line 11; location of apparatus is achieved through GSM signals correlated with acquired base station location, or alternatively, the location of the base station serves as the location of the mobile device); a memory to store the identification data associated with the present location data (page 15, lines 6-24; page 20, lines 1-13; memory of some form is inherently necessary to store acquired data); a map generating unit configured to generate a map showing the present position of the terminal, using the identification data with the present location data from the memory (page 20, lines 1-13); and a display [navigational display] to show the map (page 20, lines 1-13). Although FOGEL suggest the use of the invention to help in navigation (abstract),

FOGEL does not expressly disclose wherein the map generating unit provides location information regarding said wireless base stations. ERIKSSON discloses a map generating unit configured to generate a map showing the present position of the terminal among base stations, using the identification data with the present location data from the memory (Figure 2; abstract; paragraph 28-34, coordinates); and a display to show the map (Figure 2; abstract; paragraph 28-34, coordinates and directions are provided to the user on access points determined by user profile and location of the user). Therefore it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify FOGEL to present figured locations of a plurality of wireless base stations, as taught by ERIKSSON, as both systems relate to positioning and navigation of a wireless device. This is beneficial in that a user can select desired service requirements for locating network access.

4. Claims 4, 5, 8 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over FOGEL (WO 01/50151 A1) in view of ERIKSSON et al (US 2002/0059453 A1) and further in view of KNUTSSON et al (US 2002/0006788 A1).

Regarding claim 4, see the rejections of the parent claim concerning the subject matter this claim is dependent upon. Although FOGEL teach the use of Bluetooth and short range communication (page 15, lines 14-24; page 15, line 23-page 16, line 11; Figure 4), and ERIKSSON discloses the use of a wireless LAN (paragraph 12), the combination of FOGEL and ERIKSSON does not disclose wherein said mobile communication system is a wireless local area network system being compliant with a standard of IEEE 802.11. KNUTSSON discloses wherein said mobile communication

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system is a wireless local area network system being compliant with a standard of IEEE 802.11 (paragraph 7). Therefore it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the combination of FOGEL and ERIKSSON to include compliance with 802.11, as taught by KNUTSSON, as 802.11 is a well-known standardized method for short range communication.

Regarding claim 5, see the rejections of the parent claim concerning the subject matter this claim is dependent upon. Although FOGEL teach the use of Bluetooth and short range communication (page 15, lines 14-24; page 15, line 23-page 16, line 11; Figure 4), and ERIKSSON discloses the use of a wireless LAN (paragraph 12), the combination of FOGEL and ERIKSSON does not disclose wherein said communication unit being adapted to a standard of IEEE 802.11. KNUTSSON discloses wherein said communication unit being adapted to a standard of IEEE 802.11 (paragraph 7). Therefore it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the combination of FOGEL and ERIKSSON to include compliance with 802.11, as taught by KNUTSSON, as 802.11 is a well-known standardized method for short range communication.

Regarding claim 8, see the rejections of the parent claim concerning the subject matter this claim is dependant upon. FOGEL further discloses wherein said acquiring device configured to acquire identification information of said wireless base stations which is included in a signal transmitted from said cellular base station (page 15, lines 14-24; page 15, line 23-page 16, line 11).

Regarding claim 10, see the rejections of the parent claim concerning the subject matter this claim is dependent upon. Although FOGEL teach the use of Bluetooth and short range communication (page 15, lines 14-24; page 15, line 23-page 16, line 11; Figure 4), and ERIKSSON discloses the use of a wireless LAN (paragraph 12), the combination of FOGEL and ERIKSSON does not disclose wherein said mobile communication terminal is adapted to a standard of IEEE 802.11. KNUTSSON discloses wherein said mobile communication terminal is adapted to a standard of IEEE 802.11 (paragraph 7). Therefore it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the combination of FOGEL and ERIKSSON to include compliance with 802.11, as taught by KNUTSSON, as 802.11 is a well-known standardized method for short range communication.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

INOUE (US 5,805,999) – Method for estimating location of a cordless phone in a cordless phone system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ariel Balaoing whose telephone number is (571) 272-7317. The examiner can normally be reached on Monday-Friday from 8:00 AM to 4:30 AM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on (571) 272-7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Ariel Balaoing
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AB


GEORGE ENG
SUPERVISORY PATENT EXAMINER